



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

*BA*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/335,974	06/18/99	VORBACH	2885/21

KENYON & KENYON  
ONE BROADWAY  
NEW YORK NY 10004

LM02/0510

EXAMINER  
RAY, G

ART UNIT	PAPER NUMBER
2781	

DATE MAILED: 05/10/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/335,974

Applicant(s)

Vorbach et al.

Examiner

Gopal C. Ray

Group Art Unit

2781



☒ Responsive to communication(s) filed on Jun 18, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), ~~or thirty days, whichever is longer~~, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-18 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☒ received in Application No. (Series Code/Serial Number) 08/947,254.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2781

1. Claims 1-18 are presented for examination.
2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 08/947,254, filed on 10/8/1997.
3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed. Direct any inquiries concerning drawing review by the PTO draftsman to the Drawing Review Branch at (703) 305-8404.

Furthermore, the drawings are objected to by the examiner because all boxes/blocks in the drawings should have suitable descriptive legends. See 37 CFR § 1.84 (o). Moreover, Figures 1-3 should be labeled as --PRIOR ART--.

4. In the specification, page 3 of the brief description of the drawings, "Fig. 4" should be --Fig.s 4A and 4b--, "Fig. 9" should be --Fig.s 9a and 9b--, "Fig. 10" should be --Fig.s 10a-10g--. Furthermore, the specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

5. Claim 1 is objected to because of the following informalities: applicant should define abbreviations DFP, FPGA and DPGA along with the abbreviations in parenthesis first before using the abbreviations alone anywhere in the claims.

Art Unit: 2781

6. Claims 1-18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner notes the following ambiguities. However, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems.

As per claim 1, the claim is vague and indefinite because of the word "type" (line 3). The addition of the word "type" to an otherwise definite expression extends the scope of the expression so as to render it indefinite. See Ex parte Copenhaver, 109 USPQ 118 (Bd. App. 1955). Applicant should delete the word "type" and make appropriate changes.

Furthermore, the lines "...as well as all units having a two-or multi-dimensional programmable cell architecture by means of which multiple units can be combined and/or memories and/or peripherals can be connected" (lines 3-7) are vague and indefinite because it is unclear as to what particular units are referring to by reciting the above lines.

As per claims 2-18, the claims incorporate the deficiencies of the parent claim.

Moreover, in claim 6, the word "may" in line 3 does not particularly point out and distinctly claim that the internal bus systems comprise multiple lines.

Art Unit: 2781

As to claims 7 and 8, these claims have the same problems as discussed in the rejection of claim 6.

As to claim 14, line 4, the phrase "DFP, FPGA, DPGA or similar units" is vague and indefinite because it is unclear as to what particular units are referring to by reciting "similar units".

As to claim 18, lines 2 and 3, the claim has similar problems as discussed in the rejection of claim 14.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,113,498 issued to Evan et al.

As per claim 19, the reference of Evan et al. teaches "a processing unit, the processing unit having a multi-dimensional programmable cell architecture; and a first plurality of individual lines positioned within the processing unit, the first plurality of individual lines being bundled; wherein the first plurality of individual lines provide a means to communicate between the processing unit and at least one of : i) an

Art Unit: 2781

additional processing unit, ii) a memory device, and iii) a peripheral device" in Fig. 10 and col. 17, lines 34-60.

As per claim 2, the reference of Evan et al. inherently teaches the "interface unit combining the plurality of individual lines to form the bus system" in Fig. 10, interface units coupling AD and MD buses.

9. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-10, 12, 13, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,113,498 issued to Evan et al. in view of common knowledge in the art.

As per claims 3-10, 12, 13, 17 and 18, the claims are rejected for the same reasons as discussed in the rejection of claim 1 with the exception of the added limitations such as "one or more state machines control the interfaces" (claim 3), etc. However, the limitations such as "one or more state machines control the interfaces", etc. would have been obvious to one of ordinary skill in the art at the time the invention was made. "Official notice" is taken that the added features are well known

Art Unit: 2781

and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the above features such as "one or more state machines control the interfaces" in the system of Evan et al. because use of "state machine" is an alternative way known in the art for providing control signals. Similar arguments are applicable to the extra features of 4-10, 12, 13, 17 and 18. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the above features in the system of Evan et al. using common knowledge in the art to obtain the claimed invention as in claims 3-10, 12, 13, 17 and 18.

11. Claims 11 and 14-16 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action. Also write the claims in independent form by including all of the limitations of the base claim.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is urged to consider the reference. However, the reference should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. The prior art submitted by applicant has been considered by the examiner and made of record in the file.

Art Unit: 2781

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (703) 305-9647. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached on (703) 305-9648. The fax phone number for this Group is (703) 308-9051/9052.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [Ayaz.sheikh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Gopal C. Ray*  
GOPAL C. RAY  
PRIMARY EXAMINER  
GROUP 2780